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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/621,188	07/21/2000	Jeffrey Delaney	109140-0004	3752

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EXAMINER

WANG, LIANG CHE A

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 04/27/2004

15

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Applicati n No.

09/621,188

Applicant(s)

DELANEY ET AL.

Examiner

Liang-che Alex Wang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period of Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 37-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 37-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)          |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. <u>15</u> .  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____.  | 6) <input type="checkbox"/> Other: _____.                                   |

### DETAILED ACTION

1. Claims 37-46 have been examined

#### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 37-46 are rejected under 35 U.S.C. 102(b) as being anticipated by Pepe et al., US Patent Number 5,742,905, hereinafter Pepe.
4. Referring to claim 1, Pepe has taught an apparatus comprising a messaging application program interface (API) (item 40, figure 3) and a network interface (items 29, 39 and 42), for interfacing a messaging facility with a remote enterprise application (items 20-26, Figure 3 and Col 3 lines 45-58), the apparatus comprising:
  - a. an API processing platform (item 40, figure 3) comprising a network connection (items 29, 39, and 42);
  - b. a message and designation receive mechanism to receive, from the remote enterprise application via the network connection (Col 5 lines 56-62, messages are sent from items 30-34 to items 20-26), a message and a destination comprising destination information identifying (i) a set of multiple recipients (items 20-26) and (ii) different modalities (items 30-34) for transmitting messages to a given one of the recipients (Col 3 lines 45-58);

- c. a messaging facility direction mechanism to direct the messaging facility to effect transmission of the message to each designated recipient of the set of multiple recipients using each different modality designated for each designated recipient (Col 3 lines 38-45, Col 5 line 54- Col 6 line 10.)
5. Referring to claim 38, Pepe has further taught wherein the message comprises all content of a message to be delivered (Col 4 lines 57-67.)
6. Referring to claim 39, Pepe has further taught wherein remote enterprise application is coupled to the messaging facility via the Internet through the network interface (Col 5 lines 38-40, item 22 is connected to item 29 via Internet.)
7. Referring to claim 40, Pepe has further taught wherein the API processing platform comprises an API portion of a messaging facility processing platform (item 40, Figure 3 and Figure 5.)
8. Referring to claim 41, Pepe has further taught wherein the messaging facility processing platform comprises a server (item 48 figure 3.)
9. Referring to claim 42, Pepe has further taught wherein the network connection comprises an Internet connection (Col 5 lines 38-40.)
10. Referring to claim 43, Pepe has further taught wherein the Internet connection is part of the network interface forming part of messaging facility processing platform (Col 5 lines 38-40.)
11. Referring to claim 44, Pepe has further taught wherein messaging facility processing platform comprises a server (item 48, figure 3.)

12. Referring to claim 45, Pepe has further taught wherein different modalities comprise, for each individual recipient of the ser of multiple recipients, a set of corresponding modalities for transmitting the message to the individual recipient (items 20-26 and 30-34, Figure 3.)
13. Referring to claim 46, Pepe has further taught wherein the different modalities comprises at least two of email, fax voice telephone and pager (items 20-26, 30-34.)

### *Conclusion*

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
15. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.
16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (703)

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305-8159. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.

17. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T Alam can be reached on (703)308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
18. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang *lw*  
April 20<sup>th</sup>, 2004

*Hosain Alam*  
**HOSAIN ALAM**  
SUPERVISORY PATENT EXAMINER